Case 1:05-cv-00565-GMS

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

CORPORAL TRINIDAD NAVARRO,

.

Plaintiff,

v.

CHRISTOPHER A. COONS, : C.A. No. 05-565 GMS

individually and in his official capacity; GUY H. SAPP, individually and in his official capacity; and NEW CASTLE

COUNTY, a municipal corporation,

:

Defendants.

MOTION FOR STAY

Christopher A. Coons and Guy H. Sapp, hereby move for a stay of proceedings following and in connection with their having filed a Notice Of Appeal in this matter. Their appeal of the denial of qualified immunity in this civil rights case under the collateral order doctrine places the matter of whether they have immunity from trial in the jurisdiction of the Third Circuit Court of Appeal, and inasmuch as they are the sole defendants, it is respectfully submitted that a stay of the trial is appropriate.

Jeffrey & Goddess (No. 630)

Rosenthal, Monhait & Goddess, P.A.

Suite 1401, 919 Market Street

P. O. Box 1070

Wilmington, DE 19899-1070

(302) 656-4433

igoddess@rmgglaw.com

Megan Sanfrancesco (No. 3801) Judith A. Hildick (No. 3244) New Castle County Law Department 87 Reads Way New Castle, DE 19720 (302) 395-5130 msanfrancesco@nccde.org jahildick@nccde.org

Attorneys for Defendants